

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 CIVIL APPLICATION NO.17329 OF 2010
IN FAST/31508/2010

WITH

CIVIL APPLICATION NO.8558 OF 2017
IN FAST/31508/2010

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION
VERSUS
SANJAY VAIJNAHT BAWAGE AND ANR.

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Advocate for Applicant : Mr.S.G.Sangle
AGP for Respondent-State : Mr.S.N.Morampalle
Advocate for Respondent nos.1/1 to 1/4 :
Mr.G.K.Sontakke

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CORAM : V.L.ACHLIYA, J.
DATE : 17.10.2019

PER COURT:

1] Both these Applications are filed seeking stay to the execution and implementation of the judgment and award passed in LAR No.1313 of 2001, dated 08.02.2008 by the Civil Judge Senior Division, Ahmedpur, District Latur.

2] In brief, it is the contention of the learned counsel for the applicant that the applicant has good case to succeed on

merits. Leave has been granted to file appeal by the applicant - acquiring body. Delay in filing Appeal also condoned. Arising out of the same award, in all 21 Appeals were filed along with applications seeking condonation of delay as well as leave to file appeal. Except present Appeal, in all other matters conditional stay has been granted. Copy of the order passed in connected Appeals tendered taken on record.

3] Learned counsel for the respondents -claimants submits that conditional stay may be granted in terms of order dated 27th June, 2014, passed in connected matters.

4] On due consideration of the submissions advanced and the order dated 27th June, 2014 passed in connected Appeals, the applications are allowed in terms of prayer clause 'B', respectively, subject to deposit of amount in terms of the award passed by the Reference Court within 10 weeks from today i.e. 17.10.2019.

5] Failure to deposit the amount within stipulated period, stay granted to the execution of decree stands vacated without further reference to the Court.

6] Applications are disposed of in
above terms.

[V . L . ACHLIYA]
JUDGE

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